

## **REMARKS/ARGUMENTS**

Amendments were made to the specification to include the application serial numbers of related applications. No new matter has been added by any of the amendments to the specification.

Claims 1-20 are pending in the present application. Claims 3, 5, 8-17 and 20 are amended. Support for the claim amendments can be found in the original claims as filed. Reconsideration of the claims is respectfully requested.

### **I. Interview Summary**

On March 12, 2007, the examiner and the undersigned attorney discussed the rejections from the present office action. No agreement was reached.

### **II. Objection to Specification**

The Examiner objected to the disclosure based on informalities. In response, the offending section of the specification has been rewritten to overcome this objection.

### **III. Objection to Claims: Claims 3, 8, 15, 16-20**

The Examiner stated that claims 3, 8, 15, 16-20 were objected to as containing informalities. In response, the claims have been amended to overcome this objection.

### **IV. 35 U.S.C. § 101: Claims 9-15**

The Examiner rejected claims 9-15 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. The applicant amended claim 9, thus overcoming the rejection. Because the Examiner offers no rejection of claims 9-15 based on prior art, claims 9-15 should now be allowable as written.

### **V. 35 U.S.C. § 102, Anticipation: Claims 16, and 19-20**

The Examiner has rejected claims 16, and 19-20 under 35 U.S.C. § 102 as being anticipated by *Ito et al.*, Character Input Apparatus/Method and Computer-Readable Storage

Medium, U.S. Patent No. 6,694,056 (February 17, 2004) (hereinafter “*Ito*”). This rejection is respectfully traversed.

Claim 16 is representative of the group. With regard to claim 16, the Examiner states:

(1) Regarding claim 16:

Ito et al. disclose a data processing system (fig 1 and 2) comprising:

a pointing device; (204 in figure 2)(column 12, line 13)

a display;(203 in figure 2) (column 12, line 6)

a memory (column 12, line 7), (the Examiner interpreted the memory as a storage medium) that contains a set of instructions; and a processing unit (109 in figure 1) (column 11, line 64) and (column 12, line 4), (the Examiner interpreted that the word detecting unit in figure 1 has the same function as the processing unit), responsive to execution of the set of instructions, for providing a computer interface that identifies a start point and an end point handwritten character stroke (column 19, line 47-48) input to the pointing device (204 in figure 2), a first stroke parameter set calculated by the processing unit responsive to identification of the start point and the end point

(Column 23, line 1)

Office Action dated January 31, 2007, pp. 3-4.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). In this case each and every feature of the presently claimed invention is not identically shown in the cited reference, arranged as they are in the claims.

Claim 16 as amended is as follows:

16. A data processing system comprising:
  - a pointing device;
  - a display;
  - a memory that contains a set of instructions; and
  - a processing unit, responsive to execution of the set of instructions, for providing a computer interface that identifies a start point and an end point of a handwritten character stroke input to the pointing device, a first stroke parameter set calculated by the processing unit responsive to identification of the start point and the end point; and

a server, responsive to the calculation of the first parameter set, for receiving the first parameter set from the processing unit and transmitting a candidate character to the processing unit wherein the candidate character is based on the first parameter set.

*Ito* does not anticipate claim 16 as amended because *Ito* does not teach or disclosed the features of claim 1, now incorporated into claim 16. Specifically, *Ito* does not teach “a server, responsive to the calculation of the first parameter set, for receiving the first parameter set from the processing unit and transmitting a candidate character to the processing unit wherein the candidate character is based on the first parameter set.”

With regard to the amendment to claim 16 incorporated from claim 1, the Examiner states:

However, *Ito et al.* does not disclose the transmitting of the stroke parameter to a server, and receiving a candidate character from the serve, where the candidate character is based on the stroke parameter as recited in claim 1.

Office Action dated January 31, 2007, p. 5.

*Ito* does not teach all of the features of claim 16 as amended because *Ito* does not teach the claimed feature of claim 16, as admitted by the examiner. Accordingly, under the standards of *In re Bond*, *Ito* does not anticipate claim 16 as amended. Because claims 19 and 20 depend from claim 16, the same distinctions between *Ito* and the invention of claim 16 apply for these claims. Therefore, the rejection of claims 16, and 19-20 under 35 U.S.C. § 102(e) has been overcome.

#### **VI. 35 U.S.C. § 103, Obviousness: Claims 1, 3-4, 6-8, and 17**

The Examiner rejected claims 1, 3-4, 6-8, and 17 under 35 U.S.C. § 103 as obvious over *Ito* in view of *Bryborn et al.*, Electronic Pen and Method for Recording of Handwritten Information, U.S. Patent Publication No. 2003/0107558 A1 (June 12, 2003) (hereinafter “*Bryborn*”). This rejection is respectfully traversed.

The Examiner states:

##### **(1) Regarding claim 1:**

*Ito et al.* disclose a method for performing handwritten character recognition (Figure 2), the method comprising the computer (column 1, line 20) implemented steps of:

Responsive to user input (105 in Figure 2) to a pointing device (204 in Figure 2) entered through a computer interface (201 in figure 2), (column 7, line 53-55), identifying a stroke start event and a stroke end event (column 2, line 23-24)

Deriving a stroke parameter from the stroke start event and the stroke end event (Column 2, line 26-27), (the Examiner interpreted deriving a stroke parameter as obtaining stroke information).

However, Ito et al. does not disclose the transmitting of the stroke parameter to a server, and receiving a candidate character from the server, where the candidate character is based on the stroke parameter as recited in claim 1.

However, Brybom et al. teaches a method comprises a transmitter and receiver for transmitting a stroke parameter to a server, and receiving a candidate character which is based on the stroke information from the server (5 in figure I), (paragraph [0017], line 1-3), and (paragraph [0012], line 15-16).

One skilled in the art would have clearly recognized that the method of handwritten character recognition comprises a combined transmitter and receiver (transceiver) (1 8 in figure 4) for transfer of information (the stroke parameter or the candidate character) to or from a server (paragraph [0058], line 1-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to add the server of the system of Brybom et al. in handwritten character recognition system of Ito et al. because in such feature the server has a wireless transceiver, the processor can arrange to pass only samples of the stroke parameters to the wireless transceiver so it will reduce the amount of data transmitted via network, and also such feature will allowed the share the information at given location with different operators by internet for example.

Office Action dated January 31, 2007, pp. 5-6.

If the Patent Office does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Grabiak*, 769 F.2d 729, 733, 226 U.S.P.Q. 870, 873 (Fed. Cir. 1985). A *prima facie* case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994).

Claim 1 is representative of the group. Claim 1 is as follows:

1. A method in a data processing system for performing handwritten character recognition, the method comprising the computer implemented steps of:

responsive to user input to a pointing device entered through a computer interface, identifying a stroke start event and a stroke end event;  
deriving a stroke parameter from the stroke start event and the stroke end event;  
transmitting the stroke parameter to a server; and  
receiving a candidate character from the server, wherein the candidate character is based on the stroke parameter.

The Examiner failed to state a *prima facie* obviousness rejection because neither *Ito* nor *Bryborn* teach or suggest all features of claim 1. The Examiner admits that *Ito* does not teach the claimed features of, “transmitting the stroke parameter to a server; and *receiving a candidate character from the server*, wherein the candidate character is based on the stroke parameter.” Contrary to the Examiner’s assertion, *Bryborn* also does not teach this feature. *Bryborn* teaches:

an electronic pen for recording of handwritten or hand-drawn information, comprising a control unit and a memory. The control unit is arranged to register pen movements across at least one base, to store a plurality of digital pen strokes in the memory as a function of said movements, and to supply a set of the digital pen strokes for processing. The digital pen strokes include a first type, which is intended to be processed as graphical information constituting said information to be recorded, and a second type, which is intended to be processed as instructions for the processing of digital pen strokes of the first type. The electronic pen further comprises session-determining means adapted to detect a current working session of the pen. The control unit is arranged to indicate, for the processing of said set of digital pen strokes, the working session during which the respective digital pen strokes have been input.

*Bryborn*, paragraph 15.

While these passages do teach the transmission of electronic pen strokes to a server, there is nothing in the cited passages that teaches *receiving a candidate character from the server*, wherein the candidate character is based on the stroke parameter, as required by claim 1. Nevertheless, the Examiner cites *Bryborn* as disclosing “transmitting the stroke parameter to a server; and receiving a candidate character from the server.” Specifically, the Examiner cites:

The registered pen strokes may either be transmitted to a remote processing device, such as a server, for processing therein, or be processed by local processing means in the pen.

This procedure can therefore involve transmitting large amounts of information on pen strokes from the palette page to the server, and this in turn has disadvantages in terms of long transmission times, costs associated with these long transmission times, high power consumption in the pen, and the need for large storage capacity in the server.

*Bryborn*, paragraph [0017], line 1-3, and paragraph [0012], line 15-16.

Thus, again, *Bryborn* does not teach the acknowledged deficiencies of *Ito*. *Ito* in view of *Bryborn* fail to teach both “receiving a candidate character from the server, wherein the candidate character is based on the stroke parameter” as required by claim 1. For this reason, the Examiner has failed to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a). Therefore, the rejection of claims 1, 3-4, 6-8, and 17 has been overcome.

#### **VII. 35 U.S.C. § 103, Obviousness: Claim 2**

The Examiner rejected claim 2 under 35 U.S.C. § 103 as obvious over *Ito*, *Bryborn*, and *Kannan et al.*, System to Service Processor Interface for a Tablet Computer, U.S. Patent No. 5,329,625 (July 12, 1994) (hereinafter “*Kannan*”). This rejection is respectfully traversed.

Claim 2 is dependent from claim 1. As explained above, *Ito* and *Bryborn* do not disclose each feature of claim 1. *Kannan* does not overcome the above explained deficiencies of *Ito* and *Bryborn*. Without commenting further on the additional features of claim 2, by virtue of its dependency from claim 1, the combined references do not teach each feature of claim 2. Therefore, the rejection of claim 2 under 35 U.S.C. § 103 has been overcome.

#### **VIII. 35 U.S.C. § 103, Obviousness: Claim 5**

The Examiner rejected claim 5 under 35 U.S.C. § 103 as obvious over *Ito*, *Bryborn*, and *Ilan et al.*, Handwritten Pattern Recognizer with Selective Feature Weighting, U.S. Patent No. 6,023,529 (February 8, 2000) (hereinafter “*Ilan*”). This rejection is respectfully traversed.

Claim 5 is dependent from claim 1. As explained above, *Ito* and *Bryborn* do not disclose each feature of claim 1. *Ilan* does not overcome the above explained deficiencies of *Ito* and *Bryborn*. Without commenting further on the additional features of claim 5, by virtue of its dependency from claim 1, the combined references do not teach each feature of claim 5. Therefore, the rejection of claim 5 under 35 U.S.C. § 103 has been overcome.

**IX. 35 U.S.C. § 103, Obviousness: Claim 18**

The Examiner rejected claim 18 under 35 U.S.C. § 103 as obvious over *Ito* in view of *Ilan*. This rejection is respectfully traversed.

Claim 18 is dependent from claim 16. As explained above, *Ito* does not disclose each feature of claim 16 as amended. *Ilan* does not overcome the above explained deficiencies of *Ito*. Without commenting further on the additional features of claim 18, by virtue of its dependency from claim 16, the combined references do not teach each feature of claim 16. Therefore, the rejection of claim 18 under 35 U.S.C. § 103 has been overcome.

**X. Conclusion**

It is respectfully urged that the subject application is patentable over *Ito*, *Bryborn*, *Kannan* and *Ilan* and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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